

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Maria S. Pizzonia
Debtor(s)

Bankruptcy Case No.: 20-20370-JAD
Issued per 6/22/2020 Proceeding
Chapter: 13
Docket No.: 30 - 18
Concil. Conf.: August 6, 2020 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 2/28/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$593 as of July 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 6, 2020 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Penn Hills [Claim #7] .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4000 including any fees paid to prior counsel.

Bank of America [Claim #3] governs with the monthly payment to be determined by the Trustee.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 30, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Maria S. Pizzonia
 Debtor

Case No. 20-20370-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: skoz
 Form ID: 149

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 Total Noticed: 22

Date Rcvd: Jun 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 02, 2020.

db +Maria S. Pizzonia, 5916 Heberton Drive, Verona, PA 15147-3325
 cr +Municipality of Penn Hills, Keystone Collections Group, 546 Wendel Road,
 Irwin, PA 15642-7539
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15192566 Bank of America, P.O. Box 2759, Jacksonville, FL 32203-2759
 15192565 Bank of America, P.O. Box 15220, Wilmington, DE 19886-5220
 15221469 Bank of America, N.A., PO BOX 31785, Tampa, FL 33631-3785
 15192567 +Mariner Finance, LLC, 8211 Town Center Drive, Nottingham MD 21236-5904
 15207895 +Mariner Financial, 1800 Golden Mile Highway Suite 102, Pittsburgh, PA 15239-2893
 15231409 +Municipality of Penn Hills, c/o Keystone Collections Group, 546 Wendel Road,
 Irwin, PA 15642-7539
 15192568 +One Main, P.O. Box 740594, Cincinnati, OH 45274-0594
 15192569 +Penn Hills School District, Tax Office, 260 Aster St., Pittsburgh, PA 15235-2059
 15192571 +Wells Fargo, PO Box 10335, Des Moines, IA 50306-0335
 15195625 +Wells Fargo Bank, N.A., c/o Jill Manuel-Coughlin, Esquire,
 8 Neshaminy Interplex Drive, Suite 215, Trevose, PA 19053-6980
 15204400 Wells Fargo Bank, N.A., 1000 Blue Gentian Road, Eagan, MN 55121-7700
 15228296 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,
 Des Moines, IA 50306-0438
 15192572 Wells Fargo Card Services, P.O. Box 77053, Minneapolis, MN 55480-7753
 15207899 +Wells Fargo Home Mortgage, P.O. Box 14411, Des Moines, IA 50306-3411

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfolio recovery.com Jul 01 2020 06:21:53
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15228874 E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 01 2020 06:08:59 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15195404 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:21:08 Onemain, PO Box 3251,
 Evansville, IN 47731-3251
 15192570 +E-mail/PDF: gecsed@recoverycorp.com Jul 01 2020 06:22:31 Sam's Club/SYNCB,
 P.O. Box 960013, Orlando, FL 32896-0013
 15193685 +E-mail/PDF: gecsed@recoverycorp.com Jul 01 2020 06:22:40 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BANK OF AMERICA, N.A.
 cr WELLS FARGO BANK, N.A.
 15207893* Bank of America, P.O. Box 15220, Wilmington, DE 19886-5220
 15207894* Bank of America, P.O. Box 2759, Jacksonville, FL 32203-2759
 15207896* +One Main, P.O. Box 740594, Cincinnati, OH 45274-0594
 15207897* +Sam's Club/SYNCB, P.O. Box 960013, Orlando, FL 32896-0013
 15207898* Wells Fargo Card Services, P.O. Box 77053, Minneapolis, MN 55480-7753

TOTALS: 2, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 02, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 30, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
 Jill Manuel-Coughlin on behalf of Creditor WELLS FARGO BANK, N.A. bankruptcy@powerskirn.com
 Matthew M. Herron on behalf of Debtor Maria S. Pizzonia mmh@thedebedtactors.com,
 hgs@thedebedtactors.com/alb@thedebedtactors.com

District/off: 0315-2

User: skoz
Form ID: 149

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Total Noticed: 22

Date Rcvd: Jun 30, 2020

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 6